

**REMARKS****I. INTRODUCTION**

Claims 1-3, 5 and 13 have been amended. Claims 23-38 have been withdrawn. Figure 4 has been replaced. The abstract and specification have been amended. No new matter has been added. Thus, claims 1-5 and 13 are pending in the present application. In view of the above amendment and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

The Applicants respectfully request that the Examiner enter the amendments. The Applicants believe that the Examiner is misinterpreting a “shaving aid.” As a result, the claims have been amended to merely clarify a “shaving aid” in accordance with the specification.

**II. THE DRAWING OBJECTIONS SHOULD BE WITHDRAWN**

The replacement pages for Figures 9-12 stand objected to as being new matter. (See 04/10/2008 Office Action p. 2). Applicants respectfully disagree.

MPEP 2163.02 states:

The fundamental factual inquiry is whether the specification conveys with reasonable clarity to those skilled in the art that, as of the filing date sought, applicant was in possession of the invention as now claimed. See, e.g., *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. *Lockwood v. American Airlines, Inc.*, 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997).

The original specification states “[t]hough the shaving aid retaining means described above and shown in FIGS. 4 and 5 do comprise a number of circular concentric ridges, it will be understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped* *flower-shaped*, or *spiral-*

*shaped pattern of ridges, or a pattern of dimples as on a golf ball or similar surface patterns may be used.”* (See Specification p. 4, ll. 19-24). The replacement pages for Figures 9-12 illustrate a shaving aid retention means comprising: a *spiral-shaped* pattern of ridges, a *star-shaped* pattern of ridges, a *flower-shaped* pattern of ridges and a *pattern of dimples*. Thus, Applicants respectfully submit that Figures 9-12 do not disclose new matter, the objection should be withdrawn and Figures 9-12 should be entered.

Figure 4 stands objected to because of the following informalities: a numeral such as --37-- should be added to indicate the flat portion of the shaving head. (See 04/10/2008 Office Action p. 2). Figure 4 has been amended to include a numeral 37 to indicate the flat portion of the shaving head. Thus, Applicants respectfully submit that the objection to Figure 4 should be withdrawn.

The drawings stand objected to under 37 CFR 1.83(a). (See 04/10/2008 Office Action p. 3). The Examiner asserts that the drawings must show every feature of the invention in the claims including the at least one spiral shaped ridge (claim 4), the at least one star-shaped ridge (claim 4), the at least one flower-shaped ridge (claim 4), and a pattern of dimples (claim 5). (See 04/10/2008 Office Action p. 3). Applicants respectfully submit that Figures 9-12 are not new matter and illustrate at least one spiral shaped ridge (claim 4), the at least one star-shaped ridge (claim 4), the at least one flower-shaped ridge (claim 4), and a pattern of dimples (claim 5). Thus, the objection under 37 CFR 1.83(a) should be withdrawn.

### **III. THE ABSTRACT OBJECTION SHOULD BE WITHDRAWN**

The abstract of the disclosure is objected to because of the use of “said” and “also includes.” (See 04/10/2008 Office Action p. 4). The abstract of the disclosure has been amended to remove the term “said” and “also includes.” Accordingly, Applicants respectfully submit that this objection should be withdrawn.

**IV. THE 35 U.S.C. § 132(a) SPECIFICATION OBJECTION SHOULD BE WITHDRAWN**

The amendment filed December 17, 2007 is objected to under 35 U.S.C. § 132(a) because it introduces new matter into the disclosure. (See 04/10/2008 Office Action p. 4). Applicants respectfully disagree.

The Examiner states “the added material which is not supported by the original disclosure is as follows: the new paragraphs added after page 2, line 32 and found on page 2 of the subject amendment; and the replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment.” (See 04/10/2008 Office Action p. 4-5). MPEP 2163.02 states:

The fundamental factual inquiry is whether the specification conveys with reasonable clarity to those skilled in the art that, as of the filing date sought, applicant was in possession of the invention as now claimed. See, e.g., *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d 1555, 1563-64, 19 USPQ2d 1111, 1117 (Fed. Cir. 1991). An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. *Lockwood v. American Airlines, Inc.*, 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997).

The original specification states “[t]hough the shaving aid retaining means described above and shown in FIGS. 4 and 5 do comprise a number of circular concentric ridges, it will be understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped flower-shaped*, or *spiral-shaped pattern of ridges*, or a *pattern of dimples* as on a golf ball or similar surface patterns may be used. Furthermore, the decoration cap may have a low friction surface.” (See Specification p. 4, ll. 19-24).

The new paragraph added after page 2, line 32 and found on page 2 of the subject amendment recites “FIG. 9 illustrates a shaving aid retention means comprising a *spiral-shaped pattern of ridges*. FIG. 10 illustrates a shaving aid retention means comprising a *star-shaped pattern of ridges*. FIG. 11 illustrates a shaving aid retention means comprising a *flower-shaped*

*pattern of ridges.* FIG. 12 illustrates a shaving aid retention means comprising a *pattern of dimples.*" (See 12/17/2007 Office Action, p. 2). The replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment recites "though the shaving aid retaining means described above and shown in Figs. 4 and 5 do comprise a number of circular concentric ridges, it will be understood that any type of profile which prevents additive from flowing straight and unimpeded to the hair trapping apertures may be used. For example, a *star-shaped pattern of ridges* (see, e.g., FIG. 10), a *flower-shaped pattern of ridges* (see, e.g., FIG. 11), or *spiral-shaped pattern of ridges* (see, e.g., FIG. 9), or a *pattern of dimples* as on a golf ball (see, e.g., FIG. 12) or similar surface patterns may be used." (See 12/17/2007 Office Action, p. 3).

Applicants respectfully submit that the new paragraph added after page 2, line 32 and found on page 2 of the subject amendment and the replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment do not constitute new matter since the description was disclosed in the original specification. Thus, the objection under 35 U.S.C. § 132(a) should be withdrawn.

The disclosure is objected to because of the informality in the replacement paragraph for the paragraph beginning at page 4, line 3 of the specification and found on pages 2-3 of the subject amendment, lines 6 and 7, --37-- should be inserted after each occurrence of "portion." (See 04/10/2008 Office Action p. 5). The specification has been amended to include "37" after each occurrence of "portion." Accordingly, Applicants respectfully submit that this objection should be withdrawn.

The disclosure is objected to because of the informality in the replacement paragraph for the paragraph beginning at page 4, line 19 of the specification and found on page 3 of the subject amendment, line 8, "decoration" is improper and awkward and should read --decorative--. (See 04/10/2008 Office Action p. 5). The specification has been amended to remove "decoration" and replace it with "decorative." Accordingly, Applicants respectfully submit that this objection should be withdrawn.

**V. THE CLAIM OBJECTIONS SHOULD BE WITHDRAWN**

The non-elected claim 36 is objected to because it depends from cancelled claim 17. Claim 36 has been withdrawn, thus the Examiner's objection to this claim is moot.

**VI. THE 35 U.S.C. § 102(e) REJECTIONS SHOULD BE WITHDRAWN**

Claims 1-3 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated U.S. Patent Pub. 2003/0019107 to Visman et al. (hereinafter "Visman"). (See 04/10/2008 Office Action, p. 6). The Applicants believe that the Examiner is misinterpreting a "shaving aid." As a result, the claims have been amended to merely clarify a "shaving aid" in accordance with the specification.

Visman describes a shaving apparatus having at least one pivotable cutting unit comprising an external cutting member and an internal cutting member which is drivable relative to said external cutting member. (See Visman Abstract). Visman further describes a coupling member having a coupling head and a coupling body, the coupling head can be coupled to a coupling element of the internal cutting member. (See Visman Abstract). For driving said internal cutting member into rotation, the coupling head comprises curved surfaces for cooperation with surfaces of said cavity. (See Visman Abstract).

Claim 1 has been amended to recite a "shaving apparatus having a skin contact surface accommodating at least one cutting unit that comprises an external cutting member, a matching internal cutting member, and a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material." The Examiner asserts that claim 1 is disclosed in Visman. (See 04/10/08 Office Action, p. 6-7). Applicants respectfully disagree.

The Examiner asserts that "a device for providing a shaving aid to said skin contacting surface, characterized by shaving aid retaining means provided on at least part of said skin

contact surface,” is taught in Figure 2 of Visman. The Examiner specifically states that this is taught by “the component shown directly below numerals 11, 12 as viewed in Fig. 2.” (See 04/10/08 Office Action, p. 6). Visman Figure 2 shows one of the cutting units on an enlarged scale and the components directly below numerals 11 and 12 are 16, 17, 21, 28, 30 and 32. Numeral 16 refers to a coupling element that is fastened to the annular plate. (See Visman col. 3, ll. 33-34). Numeral 17 refers to a bearing brush in which the bearing shaft 11 of the external cutting member is journaled. (See Visman col. 3, ll. 35-36). Numeral 21 refers to a cavity in which the coupling head can be accommodated. (See Visman col. 3, ll. 39-41). Numeral 28 refers to drive surfaces of the coupling head. (See Visman col. 4, ll. 14-15). Numeral 30 refers to an axial bearing surface of the coupling element. (See Visman col. 4, ll. 23). Numeral 32 refers to sloping inlet surfaces which facilitate the introduction of the coupling head into the cavity when the holder with the cutting unit is placed on the housing. (See Visman col. 4, ll. 42-45). However, none of the above mentioned numerals in Visman teach or suggest “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in amended claim 1.

Thus, Applicants respectfully submit that Visman does not teach or suggest, within the components cited by the Examiner or at any other point, “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in amended claim 1. Because claims 2-3 and 13 depend from and, therefore, include all the limitations of claim 1, it is respectfully submitted that these claims are allowable for at least the reasons stated above.

Claims 1-5 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated U.S. Patent Pub. 2002/0083591 to Geertsma et al. (hereinafter “Geertsma”). (See 4/10/2008 Office Action, p. 6).

Geertsma describes a shaving apparatus with an external cutting member and an internal cutting member which can be driven into rotation relative thereto, said external cutting member having an annular region with hair-trapping apertures and a skin support region inside the annular region. (See Geertsma Abstract). To improve the shaving performance, the skin support area is provided with ridges. (See Geertsma Abstract).

Claim 1 has been amended to recite a “shaving apparatus having a skin contact surface accommodating at least one cutting unit that comprises an external cutting member, a matching internal cutting member, and a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material.” The Examiner asserts that claim 1 is disclosed in Geertsma. (See 04/10/08 Office Action, p. 7). Applicants respectfully disagree.

The Examiner asserts that “a device for providing a shaving aid to said skin contacting surface, characterized by shaving aid retaining means provided on at least part of said skin contact surface,” is taught in Fig. 2 (e.g., 9, 10) of Geertsma. Figures 2 and 3 show the external cutting member on an enlarged scale. (See Geertsma col, 2, ll. 3-4). Numeral 9 refers to a decorative cover which serves as a skin support surface and numeral 10 refers to a number of ridges on the decorative cover. (See Geertsma col, 2, ll. 6-8). However, neither numeral 9 or 10 teaches or suggests “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in amended claim 1.

Thus, Applicants respectfully submit that Geertsma does not teach or suggest, within the components cited by the Examiner or at any other point, “a device for providing a shaving aid additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, a water-soluble hard material,” as recited in amended claim 1.

Because claims 2-5 and 13 depend from and, therefore, include all the limitations of claim 1, it is respectfully submitted that these claims are allowable for at least the reasons stated above.

**CONCLUSION**

In light of the foregoing, Applicants respectfully submit that all of the now pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

By:   
Michael Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, NY 10038  
Phone: 212-619-6000  
Fax: 212-619-0276

Dated: June 4, 2008